

## **REMARKS**

Claims 1-3 are pending. Claims 1-3 are rejected. No claims are amended. No new matter is added. Applicants respectfully request reconsideration and withdrawal of all rejections, in view of the remarks below.

### **Claim Rejections - 35 U.S.C. 103**

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being obvious over Strobl et al. (US 5,132,663) in view of O'Day et al. (US 3,465,665) and further in view of Vary et al. (US 4,108,238).

It is alleged that it would have been obvious to include the intake and exhaust pipes of O'Day et al. and flap valves of Vary et al., in the vehicle safety system of Strobl et al., in order to arrive at the claimed invention.

Applicants respectfully disagree. Applicants point out that the present invention as set forth in claim 1 concerns a gaseous fuel discharging structure for a vehicle having a trunk and a gaseous fuel containing tank disposed in a hermetic space defined within the trunk, said gaseous fuel discharging structure comprising an air introducing pipe communicating with said hermetic space and extending to outside of the vehicle; a gas discharging pipe communicating with said hermetic space and extending to the outside of the vehicle; forced ventilation means disposed on at least one of said air introducing pipe and said gas discharging pipe for forcedly ventilating said hermetic space; and an opening/closing device disposed on each of said air introducing pipe and

said gas discharging pipe, said opening/closing devices being held at a closed position to seal said air introducing pipe and said gas discharging pipe when said forced ventilation means is out of operation and, when said forced ventilation means is in operation, pivoted to an opened position so that any gaseous fuel leaked from said gaseous fuel containing tank into said hermetic space is forced out of the vehicle through said gas discharging pipe by fresh air flowing through said air introducing pipe into said hermetic space.

Applicants therefore respectfully submit that no *prima facie* case of obviousness has been established, since there is no motivation to modify or combine reference teachings, in accordance with the claimed invention. Moreover, even if the reference teachings were combined, the teachings would not result in the claimed invention, since the references fail to teach or suggest each and every claim element.

Applicants respectfully submit that there is no motivation to combine the intake and exhaust pipes of O'Day et al., much less the flap valves of Vary et al., with a vehicle safety system according to Strobl et al. Applicants first point out that Strobl et al. and O'Day et al. are directed to entirely different safety control systems, with different ventilating purposes. Strobl et al. is directed to ventilating the interior of a car, or protecting the interior of a car from harmful outside air, by opening or closing normal automobile openings such as windows, sliding roofs, and trunks. See col. 5, lines 11-13; col. 6, lines 11-13. For example, Strobl et al. discloses sensors 8,9,10 for measuring gas concentration, which may signal the opening of windows, sliding roofs and trunk, in order to ventilate the interior of an automobile. See col. 4, line 20 to col. 5, line 24. Indeed, while the Office Action at pages 2-3 cites a ventilation means 36 of

Strobl et al., this is merely the heating and/or ventilation system 36 of an automobile, in which a sensor 35 may be arranged, see col. 5, lines 20-24, so as to control outside-air inlet openings 37 such as a window or sliding roof. See col. 6, lines 10-14. In other words, Strobl et al. concerns the ventilation of interiors through those normal openings found in all automobiles (e.g., windows), not the ventilation of sealed interior spaces that require special air inlet and/or outlet pipes.

O'Day et al. is concerned with the opposite of Strobl et al. Not only does the disclosure of O'Day et al. concern boats rather than automobiles but, more important, such disclosure contains no reference to the opening or closing of normal openings such as windows or sliding roofs. Rather, O'Day et al. is concerned with ventilating interior compartments that require their own ventilation system, see col. 2, line 70 to col. 3, line 8, for example the ventilation of an engine compartment via air inlet and outlet ducts 21, 22 with a ventilating fan 23. See col. 3, lines 24-36.

Applicants therefore submit that the systems disclosed by Strobl et al. and O'Day et al. are entirely different, with different ventilation purposes. Moreover, the disclosure of Vary et al. concerns a valve arrangement for preventing undesirable air temperature (e.g., heat loss) in a heat control system, not a safety or ventilation system as in Strobl et al. or O'Day et al. Therefore, in that each of the cited references are directed to different systems, with different purposes, Applicants urge that those of ordinary skill in the art would have no motivation to combine reference teachings.


In addition, Applicants wish to point out that even if reference teachings were combined, the teachings would not result in the claimed invention, since the references fail to teach or suggest each and every claim element. Applicants note that the claimed

invention requires a gaseous fuel containing tank disposed in a hermetic space defined within the trunk. Indeed, in the claimed invention, there are air introducing and gas discharging pipes communicating with the hermetic space. Moreover, the claimed invention includes forced ventilation means for forcedly ventilating the hermetic space. However, none of the cited references contain any teaching or suggestion with respect to a hermetic space, in accordance with the claimed invention. Strobl et al. contains no teaching or suggestion of a hermetic space. Indeed, in that Strobl et al. teaches adequate ventilation may be obtained by normal automobile openings (e.g., windows), the reference appears to teach away from any hermetic space, as claimed. Moreover, even though O'Day et al. discloses compartments being sealed from one another, for example bilge compartments 13,14 sealed from the engine compartment 12, see col. 2, lines 71-72, this is no teaching or suggestion of a hermetic space, as claimed. Finally, Vary et al. contains no teaching or suggestion concerning any hermetic space. Therefore, the references fail to teach or suggest each and every element of the claimed invention, and the rejection should be withdrawn.

In view of the remarks above, Applicants submit that this application is in condition for allowance and request favorable action thereon.

In the event this paper is not timely filed, Applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300, along with any other additional fees, which may be required with respect to this paper, refereeing Attorney Docket No. 101154-00008.

Respectfully submitted,  
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